

Macioge-Reilly, Jenny

From: Grabow, Troy
Sent: Wednesday, February 08, 2006 11:39 AM
To: Nagel, Robert (rnagel@orrick.com)
Cc: Hornick, John; Esquenet, Margaret
Subject: ConnectU v. Zuckerberg - February 24 Hearing in Massachusetts

Robert,

This letter responds to your request in our telephone conversation yesterday (and your subsequent telephone message) that ConnectU consent to rescheduling the February 24, 2006 Massachusetts hearing to March 3, 2006. In our previous telephone conversation (February 2, 2006), you had indicated that the February 24 hearing in Massachusetts would conflict with a hearing scheduled for the same day in California. I had suggested that you ask Scott Mosko if he would be amenable to rescheduling the February 24, 2006 California hearing so that it is heard at the same time as the already scheduled February 17, 2006 hearing in California. In this way, the attorneys who were going to handle the February 24 California hearing could be freed up to handle the February 24 Massachusetts hearing. Scott said that you had not contacted him regarding rescheduling the February 24 California hearing, but that he would be amenable to such a proposal.

Our proposal of moving up the California motions that were filed much later than the Massachusetts motions will allow both parties to have their motions heard on the earliest possible date. Our proposal eliminates either party from having to argue prejudice. Scott has told me he will offer to appear ex parte as early as today to have the California Judge (Manoukian) sign a proposed order that will move the hearings on February 24 to February 17, in order to eliminate this conflict. Scott said that he can draft and send you a proposed stipulation and order within 15 minutes of your agreeing to our proposal.

Sincerely,
Troy

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